

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

United States District Court
Southern District of Texas
FILED

McALLEN DIVISION

AUG 31 2016

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk

Manuel GUTIERREZ-Aguirre

CRIMINAL COMPLAINT

Case Number: M-16-01600-M

AKA:

IAE

YOB: 1968

Mexico

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 2, 2016 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

being then and there an alien who previously has been deported from the United States to Mexico in pursuance of law, and thereafter was found near Pharr, Texas within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;


in violation of Title 8 United States Code, Section(s) 1326 (Felony)
I further state that I am a(n) Deportation Officer and that this complaint is based on the following facts:

On August 2, 2016, Manuel GUTIERREZ-Aguirre a citizen of Mexico was encountered by Immigration Officers with the Harlingen Fugitive Operations Unit at the Pharr Municipal Jail in Pharr, Texas. An immigration detainer was placed upon the defendant and was subsequently remanded into the custody of Immigration and Custom Enforcement on August 30, 2016. Record checks revealed the defendant was formally removed from the United States to Mexico on November 12, 2009 via the Brownsville, Texas Port of Entry. The defendant was instructed not to return without permission from the Attorney General or the Secretary of Homeland Security of the United States. The defendant claims to have illegally re-entered the United States on or about August 14, 2012 by wading the Rio Grande River at or near Roma, Texas. On November 15, 2005, the defendant was convicted of Possession With Intent to Distribute 482.04 Kilograms of Marijuana and sentenced to sixty (60) months to the custody of the United States Bureau of Prisons with a 5 year supervised release term.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by AUSA J. Leonard


Signature of Complainant


Jesus Castro

Printed Name of Complainant

Sworn to before me and subscribed in my presence,

August 31, 2016

Date

 at


McAllen, Texas

City and State

Peter E. Ormsby

U.S. Magistrate Judge

Name and Title of Judicial Officer


Signature of Judicial Officer